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Atty Dkt No: PP000336.110
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OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

ABRIGNANI et al

Serial No.: 09/755,251

Art Unit: 1648

Filing Date: January 5, 2001

Examiner: D. Wortman

Title: BINDING PROTEIN

TERMINAL DISCLAIMER

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Chiron S.r.l., formerly Chiron S.p.A. (see attached documents), hereinafter "Assignee", having an address at Via Fiorentina 1, Siena, Italy I-53100, is the owner of the entire right, title and interest in and to application U.S. Serial No. 09/755,251, filed January 5, 2001, by virtue of an assignment recorded in the parent application on February 21, 2001 at Reel 011549, Frame 0481 and is also the owner of the entire right, title and interest in and to U.S. Patent Application Serial No. 09/011,910, filed February 17, 1998, by virtue of an assignment recorded on February 17, 1998 at Reel 9237, Frame 0987 and U.S. Patent Application Serial No. 09/509,612, filed March 29, 2000, by virtue of an assignment recorded on March 29, 2000 at Reel 010760, Frame 0064.

In accordance with 37 C.F.R. 3.73(b), Assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of Assignee's knowledge and belief, title is in the assignee seeking to take this action.

The assignee hereby disclaims the terminal part of any patent granted on the above-captioned application Serial No. 09/755,251 which would extend beyond the expiration date of any patent granted on U.S. Serial Numbers 09/011,910 and 09/509,612, except as provided

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Atty Dkt No: PP000336.110
USSN: 09/755,251
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below, and agrees that any patent granted on the above-captioned application 09/755,251 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on U.S. Serial Numbers 09/011,910 and 09/509,612, this agreement to run with any patent granted on the above-captioned application Serial No. 09/755,251 and to be binding upon the grantee, its successors or assigns.

In making this disclaimer, the assignee does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 09/755,251 that would extend to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent granted on U.S. Serial Numbers 09/011,910 and 09/509,612 in the event that they later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), have all claims canceled by a reexamination certificate, are reissued, or are otherwise terminated prior to the expiration of their statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. 1.16, 1.17 and 21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 18-1648.

Executed at Emeryville, California



Name: Alisa A. Harbin

Assistant Secretary, Chiron S.r.l.

4 March 2004